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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

|                           |   |                      |
|---------------------------|---|----------------------|
| UNITED STATES OF AMERICA, | ) | CR-S-04-0406 FCD     |
|                           | ) |                      |
| Plaintiff,                | ) | PRELIMINARY ORDER OF |
|                           | ) | FORFEITURE           |
| v.                        | ) |                      |
|                           | ) |                      |
| JASON WILLIAM THIBEAU,    | ) |                      |
|                           | ) |                      |
| Defendant.                | ) |                      |
| _____                     | ) |                      |

Based upon the plea agreement entered into between plaintiff United States of America and defendant Jason William Thibeau, it is hereby

ORDERED, ADJUDGED AND DECREED as follows:

1. Pursuant to 21 U.S.C. § 853(a), defendant Jason William Thibeau' interest in the following property shall be condemned and forfeited to the United States of America, to be disposed of according to law:

a. Approximately \$2,960.00 in U.S. Currency  
seized on or about September 10, 2004.

2. The above-listed property constitutes or was derived from proceeds defendant obtained directly or indirectly as a

1 result of the commission of the violations of 21 U.S.C. §§ 846  
2 and 841(a) (1)

3 3. Pursuant to Rule 32.2(b), the Attorney General (or a  
4 designee) shall be authorized to seize the above-described  
5 property. The aforementioned property shall be seized and held  
6 by the United States Marshals Service, in its secure custody and  
7 control.

8 4. a. Pursuant to 21 U.S.C. § 853(n) and Local Rule  
9 83-171, the United States forthwith shall publish at least once  
10 for three successive weeks in the Daily Democrat (Yolo County), a  
11 newspaper of general circulation located in the county in which  
12 the above-described property was seized, notice of this Order,  
13 notice of the Attorney General's (or a designee's) intent to  
14 dispose of the property in such manner as the Attorney General  
15 may direct, and notice that any person, other than the defendant,  
16 having or claiming a legal interest in the above-listed forfeited  
17 property must file a petition with the Court within thirty (30)  
18 days of the final publication of the notice or of receipt of  
19 actual notice, whichever is earlier.

20 b. This notice shall state that the petition shall be  
21 for a hearing to adjudicate the validity of the petitioner's  
22 alleged interest in the property, shall be signed by the  
23 petitioner under penalty of perjury, and shall set forth the  
24 nature and extent of the petitioner's right, title or interest in  
25 the forfeited property and any additional facts supporting the  
26 petitioner's claim and the relief sought.

27 c. The United States may also, to the extent  
28 practicable, provide direct written notice to any person known to

1 have alleged an interest in the property that is the subject of  
2 the Order of Forfeiture, as a substitute for published notice as  
3 to those persons so notified.

4 5. If a petition is timely filed, upon adjudication of all  
5 third-party interests, if any, this Court will enter a Final  
6 Order of Forfeiture pursuant to 21 U.S.C. § 853 in which all  
7 interests will be addressed.

8 SO ORDERED this 26<sup>th</sup> day of October, 2006.

9  
10 /s/ Frank C. Damrell Jr.  
11 FRANK C. DAMRELL, JR.  
12 United States District Judge  
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